

FRANKFORT/FRANKLIN COUNTY BOARD OF ZONING ADJUSTMENTS
October 2, 2007

Chairman Mitch Buchanan called the meeting to order at 5:30 p.m.
Recording Secretary Dawn McDonald called the roll.

MEMBERS PRESENT:

Mitch Buchanan
Barry Holder, Jr.
Ryan Sell
Kathy Peale
Joyce Honaker
Joe Johnson

MEMBERS ABSENT:

David Jones

Chairman Mitch Buchanan called the meeting to order, introduced staff and swore in the staff and audience.

The first item of business was approval of the September 11, 2007 minutes. Mr. Holder made a motion to approve the minutes. The motion was seconded by Ms. Peale and carried unanimously.

The next item of business was a request from Angela Rene'e Mills for a conditional use permit for the operation of an in-home daycare for 6 or less children for the property located at 220 Meadowview Drive, zoned "RC" Single Family Residential Urban Density District.

Maya DeRosa, City of Frankfort Planning Supervisor was present for the staff report. Ms. DeRosa explained that the applicant wants to run an in-home daycare for 6 or less children. She stated that the site is properly zoned to allow a daycare with a conditional use permit. She went on to say that the application complies with Article 19 for the play area and interior space. She mentioned the attachment to the staff report concerning an amendment to Article 19 and that includes some of the play areas and the requirement that no daycare be located within 1000 feet of a registered sex offender. Ms. DeRosa stated the house is located within 1000 feet of a registered sex offender therefore staff recommends to table the item until November to ensure that the request is in compliance with the pending ordinance amendment.

The applicant Rene'e Mills was present and stated that she has been operating her daycare for 9 plus years, and mentioned that she has the states approval and certification but she needs approval from the city as well. She stated that she has no desire to keep more than 6 children and mentioned that the state limits you to 6 children also.

After discussion, Ms. Honaker made a motion to approve the application of Rene'e Mills in accordance with Articles, 4, 18, and 19 City of Frankfort Zoning

Ordinance a conditional use permit to operate a daycare center for no more than 6 children for the principal structure located at 220 Meadowview drive with the following conditions; 1) a City of Frankfort business license be issued for the operation of a daycare a 220 Meadowview Drive, limited to 6 or less children; 2) there shall be no employees other than residents of 220 Meadowview Drive; 3) In the event that the State's Cabinet for Health and Safety and Family Services require more stringent requirements shall be implemented; and 4) the hours of operation shall be limited from 5:30 am to 6:30 pm. The motion was seconded by Ms. Peale and carried unanimously.

The next item of business was a request from Tinderwood Tendercare for a conditional use permit for the operation of an in-home daycare for 6 or less children for the property located at 216 Tinderwood Drive, zoned "RC" Single Family Residential Urban Density District.

Maya DeRosa, City of Frankfort Planning Supervisor was present for the staff report. She stated that this structure is located in the same neighborhood as the previous case. She mentioned that the approximate size of the structure is 1770 square feet and that staff analyzed the interior/outdoor play areas and found that it complies with all parts of Article 17. Ms. DeRosa stated that the structure is located within 1000 feet of a registered sex offender therefore staff recommends denial.

The applicant Jennifer Murphy was present and stated that she will have no employees other than herself and her husband. She stated that she has gone through all the channels to obtain her state certification and now needs approval from the BZA to move forward. She stated that she agrees with the conditions and that she has no desire to keep more than 6 children.

Mr. Holder made a motion in accordance with Articles 4, 18 and 19 of the City of Frankfort Zoning ordinance, Tinderwood Tendercare request for a conditional use permit be granted for an in-home daycare for 6 or less children for the property located at 216 Tinderwood Drive with the following conditions; 1) there shall be no on site employees other than the residents of 216 Tinderwood Drive. In temporary cases where no resident of the home is capable of caring for the children, the daycare shall not be in operation; 2) a City of Frankfort business license be issued for the operation of a daycare at 216 Tinderwood Drive for 6 or less children; 3) in the event that the State's Cabinet for Health and Safety and Family Services require more stringent requirements than identified by the City, then the more restrictive requirements shall be implemented; and 4) hours of operation shall be limited from 5:30 am to 6:30 pm. The motion was seconded by Ms. Peale and carried unanimously.

Mr. Peale made a motion to adjourn. The motion was seconded by Mr. Holder and carried unanimously.

Adjourn